

Meyoni

1932

File No 263032

S. L. No - 7

Preserve

p. F. IX-4.

eviotis References

119-32-1-5'
+ 11-12

1932-
(Muzrai)

File No. 263-32

Serial Nos. 7

later References

125-33-1. } destroyed

300-34-1

2400-17-45-1-

General and Revenue Secretariat.

Serial Nos. |

Part B for August-23

SUBJECT.

Abolishing untouchability in the
State by means of legislation

ordered to be filed

Serial
No.

7

Resolution No 1 for A
Abolition of untouchability
in the State by means of legislation

The resolution aims at abolition
of disabilities imposed by customs
having the force of laws, by which
certain public rights are refused
to untouchables

The most important of
these is entry into temples.

A resolution for removing
such a disability regarding Muzrai
distinctions with certain safe
guards was passed in the Regis
Cl in Dec 1932.

The main object of the
resolution being temple entry
to untouchables, this may perhaps
be sent to the Muzrai Branch
for action

Encl
from MBR
28/4

2) The file re temple entry
resolution in last L.C. may be
put up

4/5/32

3) The Muzrai Branch may kindly be requested
to put up the file

4) The Dept. may be kept with Compt.

5) The request file No. 119-3288 1-54
has been received & sent to the
Muzrai Branch for action
5/5/32

File No.

of 1932.

General and Rev
Secretariat

Muzrai, file 119-32; 1-5 & 11 & 12
relating to temple entry restriction
is herewith put up. The opinion
of Govt is contained at para 2
Subd with refer to paras 1 and 2

From Muzrai
8/5

This may be dealt with
in the Muzrai Branch
(under)

Yes. 8/5/33
The
8/5-

Mr. Poo)

MP
8/5-

Subd for general orders

Refer
9/5/33

The general question of
removing untouchables
is a social question and
does not seem to pertain to
Muzrai Poo.

9/5/33

(Lang)
2nd Mr)

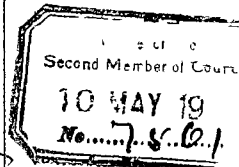
may be put up later or
early in June
11/5

10/5/33

10/5

11/5

GENERAL SECRETARY
8 MAY 1933
No.



Camp: Kemmangandi,

15th May 1933.



*Learn see this
to the reply proposed*

the sent 76 2
18/5/33
Rg
18.5.33

*Chief
Secy
with comp*

My dear Mr. Krishna Rao,

I am directed to send herewith for favour of disposal two telegrams received by His Highness regarding the fast said to have been commenced by Thagadore Ramachandra Rao.

Yours sincerely,

H. H. M. Brockett

0-52906
18.5.33
R. N. Rao

Rajakaryaprasakta Diwan Bahadur

M. N. Krishna Rao, Esqr., B.A.,

Offg. Dewan of Mysore,

B a n g a l o r e.

for permission to introduce an

10-8-33

POSTS



TELEGRAPHS

NOTICE.

This form must accompany any inquiry made respecting this Telegram

Charges to pay.

Rs.

As.

Office Stamp.

Handed in at (Office of Origin.)

Date

Hours

Minute

Service Instructions.

Words.

Recd. here at

H.

M.

POSTS



TELEGRAPHS.

93 4

NOTICE

This form must accompany any inquiry made respecting this Telegram

Charges to pay.

By.

As.

Office Stamp.

Placed in at (Office of Origin.)

Date.

Hour.

Minute.

Service Instructions.

Words.

Recd. by

H.

M.

Dear Sir, I have the honor to acknowledge the receipt of your letter of the 15th inst. in relation to the proposed amendment to the Indian Act, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
Your obedient servant,
The Secretary

N. B.—The name of the Sender, if telegraphed, is written after the word.

Printed by Bux Bros., Printers, Calcutta—1237 (B 206)—8-2-29—2,50,000 Bk.

N^o. 2830


Bangalore

18th May 1933.

My dear Mr. Thumboo Chetty,

I have received your D.O. No. C.403 of the 15/16th instant and the two telegrams sent with it regarding the fast of Thagadore Ramachandra Rao.

He is a misguided and silly person and I do not think it is necessary to take any notice of his fast which, the papers announce, is one of five days. The other man who has sent a telegram, is Aswathnarain Rao, Editor of Navajeevan, and he was convicted of sedition some time back and underwent imprisonment for six months. There is now a case against him for infringing a provision of the law relating to printing. No notice need be taken of his telegram also. In these circumstances, I do not propose to give any reply to either of the telegrams.

Some Members of the Representative Assembly had applied for permission to introduce an Anti-Untouchability Bill. The proposed legislation interferes with social practices and traditions and also with religious beliefs. It, therefore, requires wide publicity and careful consideration. It is not a piece of legislation which can be rushed through, and if permitted, it should go through all stages laid down in the Rules of the Representative Assembly and the Legislative Council. There is only one more session of the existing Representative Assembly and the Legislative Council and any legislative measure brought up in that session, will necessarily lapse and has to be brought up afresh before the new Houses after they are re-constituted. In these circumstances, Sir Mirza M. Ismail decided that the permission applied for, for introducing the Bill, could not be given

90-6

2.

now. This decision is perfectly right and there is no need whatever to re-consider it. I see from the papers that the sponsors of the Bill propose to come in a deputation to me and ask for a reconsideration of the orders already passed. I shall give them a suitable reply when they come to see me.

I have thought it well to explain the position in regard to the representations made in the two telegrams and I request that this report of mine may be submitted for the gracious information of His Highness.

Yours sincerely,

(Sd)

M. N. Krishna Rao

Rajasabhabhushana
T. Thumboo Chetty, Esq., B.A.,
Huzur Secretary to His Highness
the Maharaja of Mysore,
MYSORE.

Record of Cases submitted for the Orders of
His Highness the Maharaja.



Subject.

Statement of the points discussed
at the interview with the Dewan on 27th
May 1933 by the Mysore Anti-Untoucha-
bility League's Deputation.

605-

Order.

~~KRUP~~

29/5/33

made
31/5/33

Submitted to His Highness.

In continuation of the report submitted in my D. O. letter No.2830 dated the 18th May 1933 to the Huzur Secretary to His Highness, I beg to state that the Deputation referred to therein waited on the Second Member of Council and myself yesterday. They requested that the principles of the Anti-Untouchability Bill might be placed before the coming Session of the Representative Assembly and that immediate orders might also be issued throwing open all the Muzrai Temples to the depressed classes.

As regards the first request, they were informed that the measure contemplated by them was one of far reaching consequences as it would interfere with the established social traditions and religious beliefs handed down from ages. An innovation of the kind requires the most careful consideration and the widest publicity. It was mainly on these grounds that permission was not given to bring up the matter before the forthcoming Session of the Assembly. In their Memorandum the Deputation had suggested that in addition to placing the principles of the Bill before the next session of the Assembly, the Bill itself might be taken before the ensuing Session of the Legislative Council and passed in all its stages at one sitting. It was pointed out to them that such a precipitate course of action in regard to a momentous measure of this nature would be most unwise. The Deputation realised the ill-advised character of their request and stated that they would not press for the reconsideration of the orders already passed.

They however wanted that an assurance should be given to them that the measure would be taken up before the next Dasara Session of the Assembly. I told them that it was not now possible to take any such anticipatory decision and that the matter would be considered when it came up again.

Then the consideration of the second request was taken up. The Deputation was asked whether they had investigated the legal aspect of the problem. They confessed that they had not, and they were advised to examine it before pressing their request. The deputation stated that if there was any legal difficulty it could be removed by a Royal Proclamation. It was made plain to them that it was out of the question to entertain any such proposal. In regard to the second request also the Deputation realised that they had allowed their enthusiasm to get the better of their discretion.

The Deputation submitted a statement of the points discussed at the interview and wanted permission to publish it. The statement required some editing, and its publication with the necessary modifications has been allowed.

A copy of the revised statement which the League has been allowed to publish is herewith submitted for His Highness's gracious information.

Bangalore,)
28th May 1933)


Offg: Dewan

5370

Mysore Anti-Untouchability League's Deputation to the Dewan

27th May 1933.

The Deputation of the Mysore State Anti-Untouchability League, Bangalore was received by the Officiating Dewan, Dewan Bahadur M. N. Krishna Rao, B.A., and Mr. S. P. Rajagopalachari, B.A., B.L., Officiating Second Member of Council at 1 p.m. on Saturday the 27th May 1933. The Deputation consisted of Messrs. P. Subbarama Chetty, Belur Srinivasa Iyengar, B. G. Rajagopala Mudaliar, T.T.Sharma, P. Murugesham Pillai, Vajapeyam Venkatesiah and M. A. Gopalaswamy Iyengar, Mr. V. Venkatappa being absent.

On behalf of the Deputation, Mr. P. Subbarama Chetty thanked the Dewan for his kindness in granting an interview and giving them an opportunity to place their views before the Government. He briefly narrated the object of the Deputation and invited the Dewan's attention to the Memorandum already submitted to the Government by the Deputation. So far as the Mysore Untouchability Abolition Bill was concerned, he requested the Dewan to permit (1) the placing of its general principles before the next session of the Representative Assembly, (2) the publication of the Bill in the Mysore Gazette under Rule 8 of the Rules of Business, and (3) the passage of the Bill at the next session of the Legislative Council (vide p.p. 12-17 of the Memorandum). As regards the question of throwing open all Muzrai Temples to Harijans, he represented that the Government should be pleased to throw open all Muzrai Hindu Temples in the State to the Untouchables without delay in accordance with the Resolution of the Legislative Council, passed at its last session (vide p.p. 18-21 of the Memorandum).

The Dewan gave a very sympathetic and patient hearing and said that he was glad to find that the members of the Deputation had been devoting their time and energy to a very noble cause. There was a free and frank discussion in which all the members of the Deputation participated and placed their views before the Government.

54/1

Replying to the Deputation, the Dewan stated that, as indicated in the Memorandum of the Deputation itself, it was the policy of the Government to ameliorate the condition of the Depressed Classes and that they had been doing what all they could so far as funds permitted. It will be seen from the reply sent in answer to the request for introducing the Bill that the Government have not expressed any view in regard to the Bill, either in its favour or against it. If there was an impression that any view either way had been expressed by the Government it was not correct. The subject matter of the Bill was of such moment that its consideration cannot be rushed and the fullest publicity and scope should be given for the expression of all shades of public opinion. The proposal that the rules of business of the Legislative Council should be suspended and the bill passed at a single sitting could not be entertained. It is most desirable that adequate time should be allowed for all sections of the public to voice their views. The Representative Assembly and the Legislative Council will soon be reconstituted and there is no object in bringing this matter before the last session of the present Houses.

Regarding immediate assurance of granting permission to introduce the Bill at the first session of the newly constituted Assembly and the Council, the Dewan said that it was not possible to express any view at present and that the matter will have to be considered when it came up again. With reference to the Resolution on Anti-Untouchability legislation tabled for discussion at the forthcoming session of the Assembly, he said there was no objection to give precedence to it if the Assembly so desired.

As regards the question of throwing open Muzrai temples to Harijans, the Dewan stated that the question was a difficult one and involved the consideration of many points including its legal aspect. He enquired if the League had investigated this

55-12

aspect of the problem, and if not, he suggested that it might do so. As regards the suggestion of a Royal Proclamation for avoiding legal difficulties, the Dewan stated that no such course could be adopted.

At about 2 p.m. the Deputation withdrew after thanking the Dewan and the Second Member.

(C1
28/7/30

1233

[App. F. III-2

General and Revenue
Secretariat

(File No. 263 of 1933)

Serial
No.

WAN'S OFFICE
132
10 JUN 1933

'R'
'S'

A note regarding the important
legal objections that arise out of the
Untouchability Abolition Bill is herewith
put up for perusal and
consideration -

The bill follows the one introduced
by Hon'ble Mr. Me. Rajah at the Imperial
Assembly - Mr. Rangjyer's Bill concerns
itself with removing disabilities regarding
entry into Hindu Temples - The issue
containing the Legislative Assembly debate
on the subject is also herewith put up
for reference -

Dewan)

sup
5/6/33

Seen - Thakur
mukh
(a/g J)

sup
12/6/33

Muz. B. with Compts.)

Subst. for perusal before being sent to the R.A. for putting up with the Comm. in the subject.

12/6/33

Pl. Secy)

13/6/33

14/6/33
15/6

R.A. section, with Compts

16/6

These five files may be
sent to the R. A. Office for
review of making the result
of discussion on the several
files.

m) R & Lec in ^{the}
8/7 Civil §

8/7/33

of the discussion
to the R. A. Office
to the R. A. Office
to the R. A. Office
to the R. A. Office

General and Revenue
Secretariat

File No.

33
14
[App. F. II]
14
263 of 1932

Serial
No.

Subs for orders.
no 7/8 *the* may be filed after perusal.
8/8

J. Leary)

ASD
12/8/32

12/8/33

UNTOUCHABILITY ABOLITION BILL.

I

The most & important consideration in -- matters of such legislation is whether the principle of it has secured the support or is likely to secure the support of a sufficiently large majority of the public that is to be affected by it. As was said by the Government of Bombay on another occasion " it would be a dereliction of duty on the part of Government ^{to} support legislation so fundamentally affecting the prejudices and sentiments of a vast majority of the population without ^{the} ~~a~~ clearest and most convincing proof that not only ~~with~~ will such legislation be acceptable but that it is urgently demanded."

II

The Bill as proposed appears to be defective in many respects and cannot therefore be made the basis of legislation on the subject:-

First:- The bill seeks to remove penalties, disadvantages or disabilities imposed on persons belonging to " an untouchable caste or class among Hindus". There is no indication as to who these untouchables are and how in cases of doubt the question is to be determined.

Again the bill directed the Courts not to recognise any custom of untouchability or to base its adjudication on such custom. As is well known the ~~custom the~~ custom of untouchability is of various kinds and degrees. Even a High Caste Hindu when he is under a pollution is an untouchable. Practical difficulties ~~are~~ are ~~to~~ sure to arise if such important and fundamental questions are left in doubt

Secondly:- The disabilities of ^{the} untouchable

are sought to be removed only in the matter of public rights- The term "public right" is not a term of art and connotes no definite meaning. Legal rights are not ordinarily classified as public and private rights and in Law what is incorrectly described as a public right such as a right to go in a street etc., is a right of the individual claiming the same.

Thirdly - The bill though negative in form and therefore said to be merely permissive can easily be made the basis of aggressive compulsion. Under the bill a single person may compel the majority of caste Hindus against their will, to allow an untouchable to enter a religious place for instance. For if he is not allowed, he can bring an action for infringement of his rights and the courts will be powerless to enforce the wishes of even a majority.

Fourthly:- It cannot be admitted without further investigation that the disabilities created by what is called ~~untouchability~~ untouchability are only created by custom. Hindu temples and the practices therein prevailing are based also on religious texts having the authority of law. If the temples and idols therein derive their sanctity on account of ceremonies performed according to Agamic sastras, it stands to reason that those sastras must be looked into before it can be said conclusively that the sanctity so derived is not taken away even if express prohibitions are not heeded to.

Fifthly No case has been made out in Mysore to show that the so called untouchable is deprived of any of his public rights by any regulation, enact-

enactment or order: The bill has therefore no purpose except to enable the untouchable to claim entry into all Hindu temples as of right.

Mpazano
5/6/32

copy by the Secy to the Govt. of Madras
1/2/34

1322 18 2

GENERAL RESOLUTIONS

Muz 263-32-7

Resolution No.1

"Mr. V. V. NUTTAPPA moved the following resolution:-

"This Assembly recommends to the Government of this State, through the Maharaja that they may be pleased to bring forward immediately legislation for the abolition of untouchability in the State".

In doing so, he observed that the subject matter of the resolution was so well known that it did not require to be discussed at length. It had become the burning ^{question} issue of the day in all parts of India, thanks to the philosophy given to it by Mahatma Gandhi. His historic fast had opened the eyes of all and had brought the question of the abolition of untouchability to the forefront. If the country was to progress at all, there should not be a twin like untouchability, which had divided the human community. To achieve that object, the position of the depressed classes, whom the resolution concerned most, should be bettered socially, educationally, and otherwise. Attempts in that direction were being made in all parts of India. Madras was also doing all that was possible to improve their lot. But, despite these efforts, the ^{ill} condition of untouchables had not made rapid strides. Untouchability was poisoning into the very veins of the Indian society and it must be rooted out. It was the chief that propaganda and compromise might be used to achieve the object. But, in his opinion, the measures were not sufficient. The Government should,

legislation was necessary. The depressed classes, merely because of the accident of their birth ought not to be treated as, more as untouchables. allow their present state of affairs to continue for moment longer would not do credit to any civilized country. It was high time therefore that their disabilities were removed. When other states, not so advanced as Mysore, had taken up the question, it was but fitting that Mysore also should take up the question and not lag behind. It would be still better if Mysore went ahead of them. Sri Vivekananda who was once a honouree of this highness the late Chamarajendra Wodeyar, on the eve of his lecturing tour in America, wrote from a large number of letters to the late highness, in the very first of which he referred to this question of untouchability and said that unless it was abolished in the state there was no hope for the betterment of the Hindu society which had already been split into a number of groups. Since then the highness of Mysore had shown great personal interest in the matter of the removal of untouchability. Government had provided special facilities for the uplift of the depressed classes. All public schools were thrown open to all. No distinction was sought to be made between boys and girls of the depressed classes and those of other Hindu communities. No doubt there were some restrictions at first from the other Hindu communities but the effect that the Hindu society was being revolutionized but, no notice was taken of the untouchables. They died a natural death. In the same way the protestations made also at the attempt to remove untouchability. He was quite sure that even the

would soon die out. At the same time it would be well to remember that the path of the reformer was beset with legal difficulties, and it was necessary to smoothen his way by means of legislation. It was with this view that a bill for the abolition of untouchability had been sent up to the Government for introduction in the Legislative Council. But the sponsors of the bill were surprised to find that sanction was not accorded ^{by Government} for its introduction at the ensuing session of the Legislative Council. The reason assigned was that since it was not possible to go through all the stages necessary for the passage of the bill at the ensuing session of the Council -- that is in the very last session of the present Council -- there was no object in placing the bill before it. For the same reason, Government also not placed the general principles of the bill before this session of the Assembly. Now that the life of the Assembly has been extended to nearly one year, the life of the Legislative Council also would have to be extended correspondingly and the Council would be sitting not less than twelve months before the expiry of the extended period, and all the stages could be gone through by the Council itself. On this ground the Government once again approached to place the general principles of the bill before this session of the Assembly, so that the Legislative Council might take up the matter at its ensuing session. Even that request was not complied with and no adequate reasons were furnished by Government. The Government could have taken the opinion of the Assembly on the general principles of the bill irrespective of whether the bill could pass through

being converted to other faiths, and unless they were kept within the fold and made to feel that they were one with the other Hindu communities in all matters, he feared that a time would soon come when they would either openly revolt or be completely proselytized and the Hindu society would suffer much for its callous disregard to the legitimate aspirations of the depressed classes. He requested that no room should be given for such a state of affairs. He pointed out that there were occasions when it pleased the Government to get through bills in all their stages at one and the same sitting of the Council, and he did not understand why similar action should not be taken in the case of this bill also. It was as important, if not more, as any other matter. He therefore requested the Government to introduce a bill to the effect that no penalty, disadvantage or disability should be imposed upon any subject of the State on the ground that such a person belonged to an untouchable class or caste among Hindus.

Mr. J. C. P. K. M. I. V. in seconding the resolution, referred to the House to His Highness the Maharaja's Address to the reconstituted Council on March 12, 1924, in the course of which His Highness had graciously referred to the question of the lot of the depressed classes and observed as follows:-

"The third point which I would emphasize is that you must keep in close touch with the Government and the people and interpret the one to the other. In this way we hope that the long silence of the depressed and the humble will be broken and full responsibility for their affliction should red to the educated and well-to-do classes".

Again, a committee known as the Depressed Classes

and Aboriginal Tribes Committee, appointed by the Bombay Government, had observed as follows:-

"We do not know of any weapon more effective than this social boycott which could have been invented for the suppression of the depressed classes. The method of open violence flies away before it, for it has the most far-reaching and deadening effects. It is the more dangerous because it passes as a lawful method consistent with the theory of freedom of boycott. We agree that this tyranny of the majority must be put down with a firm hand if we are to guarantee to the depressed classes the freedom of speech and action necessary for their uplift. If propaganda and compromise fail, legislation provides the only remedy."

Continuing, he said that there should be no difference of opinion in regard to the resolution. The depressed classes were not the same as before. Thanks to the special facilities provided for them they had begun to feel that they should no longer be classed as untouchables. They were suffering under various social disabilities. For instance, if a cow died, the Hindus would alone cared for it and protected it, would never remove it and a man from the depressed classes alone had to come to their rescue. And if he failed to do so, he was boycotted and punishment was given to him. At times they would be asked to surrender their lands or refusal to remove the dead cow. If on the other hand he rendered service, the reward for it was that he was for that very reason prohibited from entering the India temples. Again, although many schools had been thrown open for the depressed classes, except in a few stray cases, the depressed classes were not allowed to join them.

In conclusion he said that in addition to propaganda and compromise legislation was also

24 23

also necessary as that alone provided an effective remedy. He pointed out that the problem required to be dealt with boldly, and appealed to the House to accept the resolution.

Mr. ... in supporting the resolution observed that as a matter of fact there was no untouchability at all in the State. The Government had ordered that all public schools should be thrown open to all classes of depressed classes ^{also}. In practically abolished untouchability in the big towns. In the villages, the depressed classes were all along living with the other classes at the time of harvest particularly, and there was no untouchability as such on any large scale. There was not even untouchability in the cities. Of course, here and there, the depressed classes encountered difficulties. The response to a call for reform was quite satisfactory. Thanks to the chain given the movement by the historic fact of Mahatma Gandhi, the question had made such wonderful strides that the reformers of the days of yore could not believe in hundreds of years, was achieved now in a very short time. But there were certain difficulties in the way of the reformers which could not be avoided except by legislation. Hence the request for legislation. The Government might hesitate to introduce social legislation. But there need be no such hesitation. If the Government could legislate, all difficulties would vanish. It was a pity that they had done well. But for the legislation so many evils would have continued to exist.

24-25

The abolition of Sati was a concrete instance of how insurmountable difficulties could be got over by legislation where every other means failed. Similarly, in regard to the abolition of untouchability, there might be a big clamour against it in the beginning. But in course of time that was bound to die. As custom had hardened the minds and hearts of the generality of people and long usage had the force of law, introduction of legislation was absolutely necessary and the times seemed well for such a step.

DKR/9-5.
II turn.

GENERAL RESOLUTIONS.

Resolution No.1. (contd.),

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In further supporting the resolution, Mr. P. V. NAGAYANI MUTHI explained that the Depressed Classes formed 1/5 of the population of the entire State and that if they were allowed to continue in their backward condition, the progress of the country was bound to be retarded. It was therefore the obligatory duty of the State to uplift them and for this, legislation was necessary. They were denied admission to all Muzrai institutions; and in the absence of a legislation to the contrary, they would have to remain without this privilege for all time to come. If they themselves took the initiative and pressed their claims, the higher castes would invoke the aid of the law courts which involved the existing mamool. No such case had as yet gone up to the courts, but in any case, merely the Mysore Courts would follow the decisions of the British Indian High Courts, ^{thus perpetuating} ~~confining~~ all the disabilities of untouchability. Section 11 of the Mysore High Court Regulation, and Section 17 of the Mysore Civil Courts Regulation laid down clearly that in social matters, custom and usage would be enforced. This principle was recognised also by the Privy Council, and thus the practice of segregating a class of the subjects was being perpetuated. Unless legislation discountenancing the existing custom in respect of untouchability was passed, the disabilities imposed on this class of people could not be removed. For these reasons, he prayed that necessary legislation be passed in the matter.

Mr. T. S. IYER, in opposition to the resolution, pointed out that neither the mover nor the supporter had given reasons to show that the time had come for legislating in the matter. The only reason was that it was not called for. In the Assembly itself there was

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Adi-karnataka members and members of higher castes were mixing with them freely. In big cities this problem was not present though it might exist in towns and villages. Even if a legislation removing untouchability was passed, it would not disappear all on a sudden and the object of the legislators would not be gained. He said that the question of legislating in social matters was beset with difficulties, and cited the instance of taking marriage processions in public streets. When it was proposed to withdraw the restrictions obtaining in this behalf, at the last session of the assembly, the reply of Government was to the effect that Samools should govern the matter and that instead of the Government taking the initiative, public opinion must express itself in favour of changing the Samool. Similarly, with regard to the question under discussion, Government had to consider the various aspects of the problem. The masses besides being illiterate, were also superstitious in their beliefs. Any attempt to remove untouchability by force might lead to create factions in the villages and even lead to rioting. But better results could be achieved by means of propaganda work. For instance, P. S. Alliah was kind enough to throw open a well in his village for the use of the depressed classes along with others, and his example was being followed gradually in other villages as well. With the spread of enlightenment, the speaker had no doubt that other villages would follow suit. If, on the other hand, the Government were required to pass legislation to rectify every social defect, there would be no end at all. The moment the legislation was passed, Government would have to provide a special force to enforce it, as otherwise that law would become a dead letter; this meant additional expenditure and the present time was the least suited for it. It was a matter of common knowledge what effect the Samool at

He was convinced that if all the people would agree to the removal of the existing stigma, there would be no need for legislation. But it was difficult to secure such a unanimity, and hence the necessity for legislaⁿtion.

He also pointed out that Mahatma Gandhi, the greatest Indian now living, along with some other best brains of the country, had devoted his life to the solution of this question, and he appealed to the members to show proper respect to that great man by passing the resolution unanimously.

Mr. KULU CHITRAVALI, in further supporting the resolution, represented the humiliations to which his community had been subjected for generations past. As an instance in point, he said that though the Depressed Classes were recognised as belonging to the Hindu fold and though one common God was worshipped by all of them, the depressed classes were not allowed to enter the Hindu temples. He emphasised the fact that by bettering their lot, the Hindus as a nation would benefit; and by discarding them, these also would be losers. If only the higher castes could give their hearts to give them access to all public institutions, such as tanks and schools, he had no doubt that the Depressed Classes would give up all their ancient habits and turn over a new leaf. He therefore appealed to the House to pass the resolution.

While agreeing that the curse of untouchability should go, Mr. B. V. SUBRAMANIAM was opposed to the resolution. As a born Vaishnava and a disciple of Sri Basaveswara, he wanted the blot of the fair name of Hinduism to disappear. ^{but} he was not sympathetic with the move to bring about a legislation for the purpose. On principle, he was opposed to the idea of social legislation as it would be futile as in the

cases of attempts made at raising the marriageable
 age of girls and of controlling prostitution. In his
 opinion, the people who were making platform speeches
 on the subject did not proceed beyond showing lip
 sympathy as they had not the courage of their convictions.
 Practical demonstrations of such sympathy
 were visible only after Mahatma Gandhi resorted to
 his most recent historic fast undertaken for the uplift
 of the Harijans. Instead of passing futile legislation
 he would suggest to those really interested in the
 movement to set examples in action. The speaker
 endorsed the opinion of Mr. Murugesam Pillay that if
 only the higher castes would take up their binds to
 wipe out untouchability, the need for legislation would
 disappear. Rightly or wrongly, certain sections of the
 people had conscientious objections to the proposed
 reform and it would not be right to compel them to
 accept it against their honest beliefs. Even granting
 that as a result of passing the legislation, the
 Depressed Classes would secure the right to enter the
 temples, because there was no objection to it according
 to the spirit of the Hindu philosophy--~~there~~
~~was no objection to it~~ Hinduism as practised today
~~was~~ ^{being} in some respects sentimental, and any legislation
 interfering with that sentiment was sure to give rise to
 fresh troubles. For instance, there was the fact that
 certain rural institutions had been richly endowed
 and were receiving grants-in-aid subject to certain
 rites being observed rigorously, and forcible entry
 into such institutions might result in unforeseen
 troubles.

In this connection, he pointed out that social
 distinctions were not a peculiar feature of Hinduism
 but were to be found among Christians and Muslims also.

No Government could force all these communities to change their long-established customs in a day. It is the society which should bring in the reforms by self-enlightenment and enlarged outlook. And he was hopeful that such a time was bound to come soon. When the attempt was first made to admit depressed class pupils into government schools, a hue and cry was raised against it. If that reform had been stretched to extreme lengths, there would have been a lot of trouble. Because it was left to its normal course, things automatically adjusted themselves in a short time.

Mr. P. N. BHATTACHARYA, who was in favour of the resolution, pointed out that there was no difference of opinion as to the desirability of removing untouchability. The view taken by the oppositionists was that legislation was unnecessary to achieve the object in view. He wanted to assure them that what was thought of by the mover of the resolution was only a permissive legislation and not one of a compulsory nature.

The DEWAN enquired how it was possible to enforce any legislation which was void of penalties.

Mr. BHATTACHARYA explained that what he meant was that in case there were a hundred devotees of a temple and a majority of them were in favour of admitting the depressed classes into that temple, the objection raised by the ~~the~~ minority should be rejected by law courts. What was now being done was that if there was one single dissident voice, the law courts did not permit of change of mamool, however slight the change or however iniquitous the mamool.

He assured the House that questions like inter-dinin-

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inter-dining and inter-marriages did not at all arise out of the resolution and there need be no apprehensions on those grounds. The resolution did not even specify on what lines the legislation should be framed. Propaganda work was being carried on both in the press and on the platform, in towns and villages, and the tendency of the people was in favour of the reform. At such a time, it was surprising that Government should hesitate to accept the resolution.

Mr. H. K. MADIAH strongly opposed the resolution on the ground that legislation would be ineffective in solving the question. Even among the depressed classes there were two sects known as Balagai and Yedagai and these would never agree to unite. They had separate wells and separate temples. One would not enter the other's street. Inter-dining was out of the question as between them. Such being the case, it was not an easy task to make the caste Hindus accept both these sects into their fold, though the situation was not without hope. Both the Brahmins and non-Brahmins were striving to elevate that community and their efforts were slowly bearing fruit. To ensure better progress in this direction, it would be up to the Government to improve the amenities created for them. He was of the opinion that if social reform should be of a substantive nature, it should be built up on sure foundations. For these reasons, he felt that there was no need for legislation. In fact, all those engaged in agriculture, Vokkalikas as well as members of the depressed classes, were raising shoulders to each other and even eating together while on the field, especially at the time of the harvest. In such a case, no precipitate action seemed called for on anybody's part. In spite of this position, legislation

was introduced, the only effect would be for Government to incur additional expenditure on Police establishments and courts of law--and this at a time when the most useful departments of Government were being utterly starved.

Mr. S. RAMAIA, in opposing the resolution, doubted whether legislation would eradicate untouchability from the land. From the progress actually achieved during the past few months, he thought that the rigour of untouchability had already gone. With propaganda on the one hand and education on the other, the evil was sure to disappear in course of time. He considered it unsafe to effect sudden changes in the rural parts as the people were not properly educated. He said that even those who opposed the resolution did not want to perpetuate the segregation of that community and they were convinced that their elevation would be in the interest of the progress of the country as a whole. But what they desired was that the object should be achieved without involving the aid of legislation.

Dharmapravartha . L. NAGAPPA CHETTY was of the opinion that the objections raised by the members ~~XXXX~~ against the idea of legislation were incontrovertible under the existing state of education in the villages. Besides, as it was a religious question, it would not be right to arrive at a decision on it without consulting the various religious heads. On this ground, he said he was unable to support the resolution.

Mr. H.C. DASAPPA was surprised at the opposition to a good cause like the removal of untouchability.

When he thought over the supreme sacrifices made by Mahatma Gandhi in the cause of the untouchables, he considered

whole of India for the first time. Though there was bitter opposition then from several quarters, the measure was passed and all opposition soon died out. If similar action was not taken in this matter, untouchability would continue to exist for centuries more.

The speaker then drew pointed attention to the fact that both on social and political grounds, it was necessary to elevate the depressed classes as otherwise, the very solidarity of Hinduism would be weakened.

Even if the object in view was not achieved, he was of opinion that as only a permissive legislation was contemplated, there would be no harm in Government proceeding to take action as prayed for in the resolution. In these circumstances, he appealed to the House to pass the resolution wholeheartedly.

Mr. B. S. PILLAI, who also supported the resolution, said that the Mysore Government which had shown its practical sympathy for the depressed classes in many directions in the past should not hesitate to remove the stigma of untouchability. He added that it was quite feasible to enact a legislation without interfering with the existing rights and privileges of other communities. The proposed legislation was conceived in the best interests of the State and it was as necessary as the laws in vogue for preventing sati, Child marriages and Dowry burning. The criterion to decide the utility or otherwise of the legislation was whether it would make for more good or harm and whether it would benefit the majority or not. As a general standard, legislation under reference was certainly

desirable

passage

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desirable and necessary. There was no law at present to give the depressed classes their legitimate rights. Any single individual could come in the way of their enjoyment of those rights. British Indian courts and even the Privy Council had given decisions respecting munuols, and there was the danger of the Mysore courts also giving similar decisions and thus preventing the depressed classes from making any progress. This certainly was not the intention of any person responsible for it and so there could be no justifiable opposition to the resolution in the House.

The speaker next mentioned that the Untouchability League had expressed a desire that the proposed Bill should be on the lines of Mr. . . . and Mr. . . . Untouchability Abolition Bill, which had been picked up by eminent lawyers like Sir Bhabur Sapru, Mr. Jayakar and Pandit Malaviya. It was necessary to remember that after all, the resolution was recommendatory, and the legislation permissive.

Then the member read out the introduction of the Bill, and said that when legislation was enacted, the depressed classes would be able to participate either as untouchables or as approaching them. It would stimulate further public interest in the social and elevation in morality and in the country. There would be a change in the mentality of people and the community as a whole, and would be able to help the country in the solution of the many problems of the day.

In conclusion, he said that there was no apprehension in any quarter that the proposed legislation would be detrimental to the interests of any other community, inasmuch as there was no objection to any amendment or suitable provision, or any other provision.

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passage in the Legislative Council.

Mr. A. MAMAKANI IYER was opposed to the resolution on principle. He did not believe that the depressed classes really suffered from man disabilities. Representatives of those communities had no place in the Legislative Council, the Representative Assembly, District Boards and Village Panchayats. Even in the villages whenever there was an arbitration, a member of those communities was also taken into it. In recent years Government were giving them lands at upset prices and other special facilities in various directions. All qualified candidates of the community were being provided with appointments in Government departments.

It seemed to him that the mover and the supporters of the resolution, who were mostly residents of the two cities, might have turned out to be social reformers, whose main aim was to secure the right to temple entry for the depressed classes. But before they could aim at that, he was inclined to advise them to work for the removal of all their unclean habits such as drinking the water of earthen pots, about taking water from public wells. It is his duty to advise the speaker not to offend on the part of the other caste, seeing that the depressed classes, even as between themselves, had two classifications with a wide gap between. If the proposed legislation was forced on the world, it would produce undesirable effects on social and economic interests, and it would not be for the benefit of the class of people whom it was intended to benefit. For these reasons, he said that he would discourage any attempt to wipe out long-standing custom by one stroke.

At this stage, the Deputy announced that as requested by the members, the session of the Assembly would be extended by one day.

The Assembly then rose for lunch at 1.30 P.M.

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the benefit of all the work done and the money so far spent on that account would be lost.

MR. PUTTAS AMI GOLDA opposed the resolution on the ground that the introduction ~~thereof~~ of a legislation of the kind referred to would result in a ~~great~~ great amount of fear and hardship to the illiterate people, especially in the villages. At a time when the evil was dying out of itself as a result of mass awakening and enlightenment, it was not wise to introduce any legislation and thereby create unnecessary fear and jealousy in the minds of the ~~public~~ people. The object underlying the ^{the} resolution was no doubt praiseworthy, ^{but} ~~but~~ mere lip sympathy would be of very little use in achieving the object. On the other hand, those who were so loud in their advocacy for the immediate introduction of legislation for the purpose would do well, when they went back to their homes, to allow the members of the depressed classes to build houses in the midst of those of other forward classes and thus translate their sympathy into action. That would be a right step in the direction of uplifting those people. Even in an enlightened City like Mysore, there were two segregated colonies for the depressed classes. Why should there be separate extensions for them? The Mysore City should first set an example in the direction of allowing the depressed classes to live in the midst of others so that other towns and villages might follow the same course. If instead of that, legislation was introduced all at once, there was sure to be a set-back to peaceful life in the villages.

A lot had already been done in the past

absence of any rule of Hindu Law, "any custom (if such there be) having the force of law and overriding the parties or property concerned shall form the rule or decision unless such law or custom has, by legislative enactment, been altered or abolished". If this section was strictly applied, the entry of depressed classes into the temples would become impossible. In such cases, Government must give a mandatory direction to the Courts. To that extent, social legislation was necessary. For these reasons, he thought that legislation was necessary ^{and} ~~for this reason, he~~ supported the resolution.

MR. J. BANCHER DIXON said that though he belonged to a community which treated all alike and would not in any way be affected by the passing of the legislation, he would like to say a few words on the resolution. So far as the main question of the removal of untouchability was concerned, there was no difference of opinion, but the point to be considered was whether legislation was necessary for the purpose. There was a suspicion lurking in his mind that there was more of lip sympathy than of earnestness among the members. If they had any earnestness in the matter, they should have admitted the depressed classes into their houses, they should have admitted them to temples and allowed them the use of all drinking water wells. Every legislation must add to the peace and contentment of the people. There was no use passing a legislation following the example of big cities like Bombay or Calcutta. The conditions prevailing in the villages which had come under the jurisdiction of the legislation should be considered. It was needless to say that even in the rural parts were illiterate, and a slight improvement

infringement of their acknowledged rights would upset them and there would be disturbances of the peace. I would ask the members of the Assembly first of all to show that they themselves were in favour of the reform and ~~would~~ ^{longer} not hesitate to mix with members of the depressed classes and others at lunch during the sittings of the Assembly. If they could not do so much, it would certainly be too much to expect illiterate people in the rural parts to shake off their age-long prejudices and mix with the depressed class people freely all at once. The passing of legislation would surely result in disturbing the peace in the rural parts and might end in a general revolt. What was ~~therefore~~ wanted was propaganda work with a view to inculcate habits of cleanliness, temperance, etc., among them. That required the services of a large number of sincere volunteers in every place. If organisations were set on foot for the purpose of educating the masses, untouchability would die a natural death in the usual course. Until this was done, legislation would mean more harm than good.

MR. N.G. BANERJEE said that the resolution did not say on what lines the legislation should be drafted; that it did not suggest that there should be interdining or intermarriage, but it had left the entire matter to the discretion of the Government. The object of the movers of the resolution was to do away with the stigma attaching to one particular community. Some of the members who opposed the resolution said that more propaganda work should be done in the villages. The House consisted of representatives from the rural parts throughout the State and what was discussed in the Assembly would be made known to the various constituencies by their respective representatives. That itself was propaganda work. Though the movement had started a year back,

there had so far been no protests from the people in the villages. Nobody need fear that by passing the legislation, there would be a widespread revolt as was stated by Mr. Mahomed Imam. A few others seemed to fear that if the Adikarnatakas were uplifted, they would refuse to serve the other communities. They were all imaginary fears. If there was harmony among all the communities, there would be no room for disturbances.

The speaker was personally aware that during some of the Jattras, panchamas were going into the temples stealthily. Why should they not have the right to enter the temples boldly? Was it not the duty of the members of the Assembly as legislators to see that such sufferings were put an end to? If for no other reason, at least for the sake of preventing interested people to come in the way of the improvement of the depressed classes, legislation was necessary. The members of the depressed classes were praying to their brethren of the forward classes to admit them into their fold and thus prevent them from the temptation to embrace other religions. Their representation deserved the wholehearted support of the other communities. Members of the House knew that Mahatma Gandhi undertook his recent fast with a view to ameliorate the condition of the depressed classes. The Mahatma would only laugh at the conservatism of the members if they opposed this resolution. At least, out of respect for him, it was the duty of the House to pass the resolution which was a very harmless one.

MR. B. MOHAMMED KHAN said that Government were showing all possible concessions and facilities to the depressed classes by way of providing them with regular drinking water wells in the villages, free bazaar,

lodging, clothing, books, etc. ^{to their children} Only a few days back the Government had ordered that Thotis and Talwars should be exempted from the payment of stamp fees. ^{Thus} ~~Thus~~ in all possible ways, the Government were helping the depressed classes. These were sure to have their effect in course of time. Nothing more was necessary and there was no need for legislation.

MR. T. SID ALINGALIYA said that the object of the members who wanted to introduce legislation was to uplift the members of the depressed classes, by improving their social condition. Just as members of the Assembly were fighting for their own rights, the depressed classes also would have fought for their case if they had been sufficiently represented on the House to make their voice felt. After all, the depressed classes were also human beings and it behoved every one of those who loved them to support the resolution under discussion.

MR. K.T. BHASKRYA IYER who spoke next said that the resolution was brought up with the object of removing the disabilities of the depressed classes in the exercise of their public rights. No one who felt that he was a subject of his highness the Maharaja should be subjected to any such disability. The natural rights and liberties of the depressed classes had been denied them in the past, and the injustice should not be perpetuated any longer. The object of the resolution was ~~that~~ that Government should abolish untouchability, only in so far as it interfered with the exercise of the public and not rights of these communities. If this restricted scope of the proposed legislation had been clearly indicated in the resolution, he thought that there would not have been any opposition to it. If the House had no objection, those words might now be inserted in the resolution. It

Such as for example
the use of public
schools roads wells
etc

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was ^{by} ~~certainly~~ not the intention of the resolution that the proposed legislation should interfere with private - rights and liberties of other communities.

The speaker said that this could not be treated as a social legislation as was stated by some of the previous speakers. It was a legislation intended for the protection of public rights which are common birthright of every citizen of the State and subject of His Highness the Maharaja. He hoped that in the light of this explanation, there would be no objection to passing it.

Such as for example
the use of public
schools, roads &
wells

behalf of the Government, the COUNCIL said that the resolution had been discussed threadbare in all its aspects, and his work had therefore been very much lightened. He would only say a few words to place before the House the views of the Government on the resolution. The resolution consisted of two parts; first, that untouchability should be removed, and secondly that legislation should be passed immediately for doing so. So far as the first part was concerned, there seemed to be no difference of opinion among the members and Government were also in favour of it as would be evident from the fact that Government had created a number of facilities to the depressed classes. The only question to be considered was whether any immediate legislation was necessary. The resolution merely suggested that Government should enact a legislation. If detailed suggestions had been placed before the Government, they could have considered the proposal. mere resolution that Government should enact a legislation for the abolition of untouchability without detailed suggestions would not help Government in solving a problem which applied to the whole of the Hindu Society. There were many practical difficulties in accepting a general proposal of the kind and ^{the necessity for the careful} ~~any amount of consideration~~ taken would not be too much in the matter.

in the matter is
very clear

Continuing the ^{Member observe} ~~speech~~ that there was no law, Regulation or Order which denied any public rights to the depressed classes. Mr. Bhachyam Iyengar said that they were not allowed the use of public schools, wells and roads. In respect of those three items, there ~~had been~~ were no restrictions imposed by means of any Regulation or Order. On the other hand, Government had recognised the right of the depressed classes for them and would enforce them at all costs. That had been the ^{Policy} ~~open declaration~~ of Government and orders had been issued in pursuance thereof. But the reason why much headway was not made, was self-evident to everybody. The addition of certain words in the ~~Resolution~~ Resolution suggested by Mr. Bhachyam Iyengar would in no way help to solve the problem. Although the members had referred to the use of schools, roads and wells, they had carefully avoided the case of temple entry. It was not possible to visualise ^{correctly} the ~~scope~~ of the proposed legislation and if it was taken up, probably temple entry also might come within its ambit.

It had been stated by Mr. Bhachyam Iyengar that this was not a social legislation. This was a view in which the Member could not agree. Anything and everything might come under its purview including temple entry. In that case, it would be both social and religious legislation. For this reason, Government would have to see what the effect of such ~~of~~ legislation would be on the society as a whole.

Some of the members held the opinion that this was only a permissive legislation and that as such there should be no hesitation in supporting it. It could not be called a permissive legislation in the sense as the Civil ^{Marriage} ~~Marriage~~ Act or the new Marriage Act was

permissive legislation. It was certainly a ~~permissive~~ ^{positive} ~~legislation~~ ^{legislation} because it aimed at destroying certain existing vested rights; it sought to interfere with time-honoured customs. So, to call it a permissive legislation would be a mistake. The resolution wanted that "notwithstanding any custom, any interpretation of law, etc., any Regulation," etc., certain things should be done. So, it was a positive legislation.

As regards enacting the legislation, many members had given views both for and against. Government had to consider those points carefully before coming to any decision. And if it was decided to pass a legislation, the means of enforcing it also would have to be devised. No penalties had been indicated in the resolution. No legislation would be complete without penalties for infringement of the sections contained in it. This showed the need for a cautious handling of the question. If all people were agreed about the necessity for the legislation, then Government would have no hesitation in enacting it. But there had been some difference of opinion on that point. No doubt a reference had been made to some sections in the Civil Court Regulation, and a fear expressed that if ~~the~~ legislation as proposed was not passed, local courts would apply those sections and give decisions adverse to the depressed classes. There was no reason to justify such a fear. The High Courts had not so far given any such decisions. It would not be right to presume what decisions would be given by the local courts. All these points had to be considered before the Government decide one way or the other. There was no emergency to warrant immediate action on the part of the Government.

Recently, a deputation of leading public men in Bangalore waited on the Dewan and made representations on this very question, but the Government are not

commit themselves to any definite line of action. Certain non-official members of the Legislative Council had given notice of private bills relating to this question and they would come up for discussion in course of time. And how the bills would be disposed of depended more upon the Council and the Assembly than upon the Government.

MR. P. SUBRAMANIAM CHETTI thanked the Member for assuring the House that a bill would come up before the Legislative Council.

THE SECOND MEMBER OF COUNCIL observed that even if it was decided to place the Bill before the House, it would be difficult to foresee in what shape it would come up. However it would be well to await the progress of the matter. In this view, the Government could not commit themselves to any definite line of action immediately.

MR. V. VENKATARAMA by way of reply said that there seemed to be some misconception in respect of the scope of the proposed legislation. This was due to the fact that Government had not placed before the Assembly the bill that had been sent up in this behalf. If that had been done, there would not have been room for any misconception. In all such matters, if non-official members suggested details, Government would not accept them; if on the other hand, they left the details to be decided by the Government, Government would say the proposal was vague and would plead a number of excuses. All that the resolution asked was that legislation as necessary to eradicate untouchability because great people in the past had failed to achieve the object in the absence of such a legislation. Mahatma Gandhi ~~was~~ ^{the} avatar of the present day had been struggling to eradicate the evil, all minds were united as to the necessity of such a law.

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stop and all parts of the Country were focussing attention on the question at the present day. This therefore was the most opportune time to give effect to the proposal.

Referring to the statements made by some of the previous speakers that the measure would not be welcomed in the villages, Mr. VANKATAPPA said that he knew the conditions prevailing in the rural parts, minds, hardships and ambitions of villagers better than many others and he was sure that they would welcome the legislation. As Mr. Bhasnyam Iyengar said, Government should safeguard the rights and privileges of the depressed classes. If others' rights were infringed upon, certainly ~~there~~ the legislation might be opposed. But there was no such idea. At present the depressed classes people were being looked down upon and treated like cattle. What was aimed at was that they should also be treated like ~~human~~ human beings and made to feel that they were better than before. There were many intelligent members in the House and they could certainly rectify defects and remedy objections if any when the bill came up for discussion later on. In the meantime, he appealed to the House to give its unanimous support to the resolution.

The resolution was put to vote and passed, 111 voting for and 59 against.

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ion of the Representative Assembly of the.....District.
For the... Session of.....
Budget Bangalore 192
June 33

So

Subject

Resolution.

this assembly recommends to the
Government of His Highness the Maharaja
of Mysore, to be pleased to bring
forward immediately legislation for
the abolition of untouchability in the
State on the lines indicated in the
Bill hereto annexed.

M. S. Narayana
For Deputy Commissioner,
Bangalore District.

No.
1.

Name of Member

Messrs.

1. V. Venkatappa,
Rural Constituency,
Chennapatna.
2. S. Subba Rao,
Rural Constituency, Ankal.
3. Belur Prativasa Iyengar,
Rural Constituency,
Bangalore.
4. K. Murugesam Pillai,
Special Interest,
Bangalore City.
5. K. Ramachandra Rao Sindhia
Minorities, Bangalore
City.
6. Mahyati Iyengar,
Legal Interest,
Bangalore City.
7. K. Gopalasami Iyer,
Minorities,
Bangalore City.

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A BILL

To abolish Untouchability in Mysore.

(The Draft Bill.)

Whereas it is increasingly felt by the Hindu Community that the disabilities that are imposed by social customs and usage on certain classes of Hindus, commonly known as the Depressed Classes, are repugnant to modern conditions and ideas of justice and social equality, and should no longer be recognized by law or otherwise enforced, but should be severely discouraged;

It is hereby enacted as follows:-

1. This regulation may be called the Untouchability Abolition Regulation, 1930..
2. It shall come into force on the 1st day of
3. It extends to the whole of Mysore.
4. Notwithstanding anything contained in any existing enactment, regulation or order, no not withstanding any custom or usage or interpretation of law, no penalty, disadvantage, or disability shall be imposed upon, nor any discrimination made or recognized in the matter of public rights against any subject of the State on the ground that such person belongs to an untouchable caste or class, or is a Hindu, and no court, civil or criminal, shall recognize any custom of untouchability or seek its justification in such a custom.

Statement of Objects and Reasons

Mahatma Gandhi's historic fast and the Yeravada Pact about the Depressed Classes have brought about a great awakening throughout India for the abolition of untouchability and the removal of disabilities of the untouchable class. But speedy reform has been found to be not possible without recourse to legislation. For, the British Courts and the Law in India have recognised and enforced the existing usages and customs of the Hindus. Even if the Government obtain the consent of the majority of the people,

for their proposals they are unable to achieve their object as even a single dissentient can set the law in motion through courts and block reform. Though there is no section in the Mysore Charitable and Religious Institutions Regulation 1927 corresponding to section 40 of the Madras Religious Endowments Act 1926, and there is also no reported decision of the High Court of Mysore in regard to untouchability, section 11 of the Mysore ^{High} ~~Civil~~ Courts Regulation ^{and sec. 17 of the Mysore Civil Courts Regulation} lay down that where it is necessary for the Court to decide any question regarding caste or any religious usage or institution, "in the absence of any rule of Hindu law, any custom (in so far as there be) having the force of law and governing the parties or property concerned shall form the rule or decision unless such law or custom has, by legislative enactment, been altered or abolished," and it is hardly any wonder to think that the High Court of Mysore will not follow the judicial precedents of British India with regard to untouchability as it has done in so many other matters. In being the state of the law it has been considered necessary to seek the aid of legislation.

The Bill has been drafted on the lines of Mr. G. V. Rangaswamy's Untouchability Abolition Bill in the Indian Legislative Assembly. It is purely negative in character. It proposes to withdraw the co-operation of the State in the enforcement of custom of untouchability and to lay down that no Court, Civil or Criminal, and no officer of the Government shall pass any judgment or order on the recognition of such a custom. It is not drafted to interfere positively with any social or religious institutions. With the withdrawal of the State aid in the progress of the "Harijan" movement untouchability will certainly die a natural death in the unfavourable atmosphere of modern life.

"Copy"

M. S. Rangaswamy
For Deputy Commissioner,
Mysore District.

Memorandum of Resolutions proposed to be moved in the.....
 Session of the Representative Assembly of the..... District.
 For the..... Session of.....
 Budget June 33

Subject

Resolution.

No.
1.

Name of Member

Messrs.

1. V. Venketappa,
Rural Constituency,
Chennappa.
2. R. Subba Rao,
Rural Constituency, Inekal.
3. Belur Brinivasa Iyengar,
Rural Constituency,
Bangalore.
4. P. Murugesam Pillai,
Special Interest,
Bangalore City.
5. M. Ramachandra Rao Sindhe
Minorities, Bangalore
City.
6. Bhashyam Iyengar,
Legal Interest,
Bangalore City.
7. R. Gopalasami Iyer,
Minorities,
Bangalore City.

This assembly recommends to the Government of His Highness the Maharaja of Mysore, to be pleased to bring forward immediately legislation for the abolition of untouchability in State on the lines indicated in the Bill hereto annexed.

M. Ramachandra Rao
 For Deputy Commissioner, 1.
 Bangalore District.

A Bill

To abolish Untouchability in Mysore.
(The Draft Bill.)

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Whereas it is increasingly felt by the Hindu Community that the disabilities that are imposed by social customs and usages on certain classes of Hindus, commonly known as the Depressed Classes, are repugnant to modern conditions and ideas of justice and social solidarity, and should no longer be recognised by law or otherwise enforced, but should be severely discouraged;

It is hereby enacted as follows:-

1. This Regulation may be called the untouchability abolition Regulation, 193...
2. It shall come into force on the 1st day of.....1
3. It extends to the whole of Mysore.
4. Notwithstanding anything contained in any existing enactment, regulation or order, and notwithstanding any custom or usage or interpretation of law, no penalty, disadvantage, or disability shall be imposed upon nor any discrimination made or recognised (in the matter of public rights) against any subject of the State on the ground that such person belongs to an untouchable caste or class known as such, and no court, civil or criminal, shall recognise any custom or untouchability, or base its adjudication on such a custom.

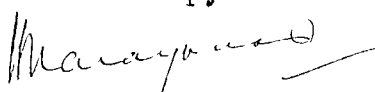
Statement of Objects and Reasons.

Mahatma Gandhi's historic fast on the 18th September 1931 about the Depressed Classes has brought about a great awakening throughout India for the abolition of untouchability and the removal of disabilities of the untouchable classes. But speedy reform has been found to be not possible without recourse to legislation. For, the British Courts in India and the Law in India have recognised and enforced the disabilities, customs and usages of the Hindus. Even if the Government could not obtain the consent of the majority of caste Hindus...

for their proposals they are unable to achieve their object as even a single dissentient can set the law in motion through courts and block reform. Though there is no section in the Mysore Charitable and Religious Institutions Regulation 1927 corresponding to section 40 of the Madras Religious Endowments Act 1926, and there is also no reported decision of the High Court of Mysore in regard to untouchability, section 11 of the Mysore ^{High} ~~Civil~~ Courts ^{and sec. 17 of the Mysore Civil Courts Regulation} Regulation lay down that where it is necessary for the Court to decide any question regarding caste or any religious usage or institution, in the absence of any rule of Hindu Law, any custom (if such there be) having the force of law and governing the parties or property concerned shall form the rule or decision unless such law or custom has, by legislative enactment, been altered or abolished," and there is hardly any reason to think that the High Court of Mysore will not follow the judicial precedents of British India with regard to untouchability as it has done in so many other matters. Such being the state of the law it has been considered necessary to seek the aid of legislation.

The Bill has been drafted on the lines of Mr. C. S. Ranga Iyer's Untouchability Abolition Bill in the Indian Legislative Assembly. It is purely negative in character. It proposes to withdraw the co-operation of the State in the enforcement of the custom of untouchability and to lay down that no Court, Civil or Criminal, and no officer of the Government shall base any judgment or order on the recognition of such a custom. It is not drafted to interfere positively with any social or religious institutions. With the withdrawal of the State aid and the progress of the "Harijan" movement untouchability is certain to die a natural death in the unfavourable atmosphere of modern life.

"Copy"


For Deputy Commissioner,
Bangalore District.

No. 2808

Enc. 1

OFFICE OF THE PRIVATE SECRETARY
TO HIS HIGHNESS THE MAHARAJA OF MYSORE.

Mysore 19.5.1933.

56

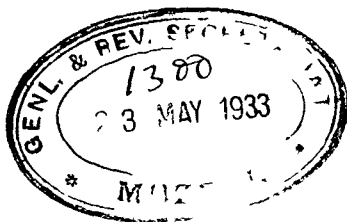
CHIEF SECRETARY
Mys.
22 MAY 1933

The petition, of which particulars are given below, to His Highness the Maharaja, is forwarded with compliments for favour of disposal.

To

The Chief Secretary to the Government
of H. H. the Maharaja of Mysore

Bengaluru



By Order,

[Signature]

For Private Secretary
to H. H. the Maharaja of Mysore.

No. 241 of 32.33

From Mr. Tagadur Ramachandra Rao
praying that the temple in Mysore
State may be opened to Hindus &

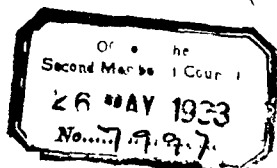
If appropriate will be
placed in the file re. introduction
of legislation for the removal of
untouchables;

no. 235

Submitted for
perusal

26/5/33

II member)



[Signature]
26/5
26/5

19/5/38

pl. 641

To

Sir Sri Krishnarajendra Wadayar Bahadur, G.C.S.I., G.B.E.,

M y s o r e .

May it please your Highness,

*Pl. concerned
8
18.5.38*

Mahatma Gandhi, the world renowned saint has undertaken a great fast for 21 days. The responsibility for the fast lies entirely on the Hindu Community. The whole of the Hindu Community will be greatly denounced if his life is endangered in any way as the result of the fast. The responsibility of our State in this matter is also great. Your Highness should kindly take this matter into heart. All the progressive sections of Mysoreans have been taking great pains to remove the curse of untouchability from our midst; but the legal disabilities of the present statute are a hindrance in this respect. The Legislative Council, the Lawyers' Conference, the Peoples' party and such other bodies have clearly expressed themselves in favour of the reform. Yet the Government have not shown any sympathy in the matter. The Dewan did not permit the introduction of the Anti-Untouchability Bill. The attitude of the Government in respect of this reform is vague and indefinite. Your Highness' attitude in the matter is also not known to the people. As such the pace of reform is not accelerated.

I therefore humbly appeal to your gracious Highness to show the utmost sympathy and broadmindedness in this cause. The Rulers of Baroda, Kashmir, Kolhapur, Bhor and Aundh have issued proclamations declaring that the untouchables would be given free scope to go to any public temples and offer worship. It is my earnest prayer that your Highness may be pleased to issue similar proclamations and remove the disabilities of our unfortunate brethren. I would humbly suggest that your Highness may kindly throw open at first the Temple at Sri

Chamundi Hill

Chamundi Hill to the Untouchables and thus pave the way for opening the other temples gradually.

In 1926 at T. Narasipur and in 1933 at Nanjangud, I tried to secure the right of entry into the temples for the Harijane, and also secured the support of the Legislative Assembly. I have made several representations to your Highness in regard to this. But I regret that your Highness has not so far taken my prayer to heart.

In order to secure the fullest attention of your Highness to this subject and to maintain the dignity and fair name of our State, I have taken upon myself a voluntary decision to undergo a fast for FIVE DAYS, commencing from 8 A.M. of the 15th instant at Bangalore City. I humbly pray that by this voluntary act of mine, God Almighty may be pleased to convert the heart of your Highness in favour of the reform so that the cause which is dear to the heart of Mahatma Gandhi may be best served and the greatest man of the World may be spared to us with best of health and long life.

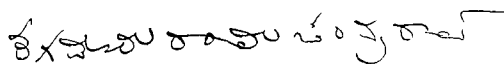
Once more I beg to request that my earnest prayer may receive the necessary attention from your gracious Highness.

I beg to remain,

Your Highnesses' humble subject,

Bangalore City.

Dated 11th May 1933.



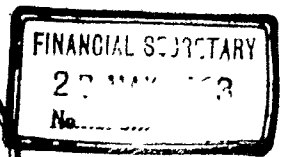
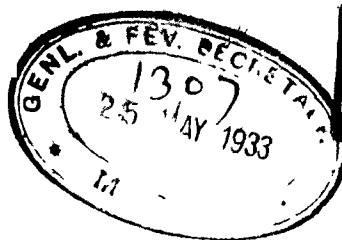
Address:--

Tagadur Ramachandra Rao,

C/O S. Venkatapathiah, Esq., B.A., B.L.,

Advocate, Kempa Gowda Road,

Bangalore City.



No. 2813

Enc. 1

OFFICE OF THE PRIVATE SECRETARY

TO HIS HIGHNESS THE MAHARAJA OF MYSORE,
Mysore

~~Bangalore~~, dated 19th May 1933 191

1307
(H)
59

Telegram

~~Request~~, as shown below, to His Highness the Maharaja is
with compliments
transferred to the Secretary to the Government of His Highness the
Maharaja of Mysore, ... Financial Department, Bangalore, for
favour of disposal.

No. 645 of 32-33. Telegram from Pranidayasana, Davangere,
praying that Muzrai temples may be opened to Harijans on the occasion
of Mahatmaji's great penance.

By Order,

14 5 35
Private Secretary

Not for personal

This will, if approved, be placed to His Highness the Maharaja of Mysore
in the file re introduction of legislation
to remove untouchability

no 1307
26/5

GBPM-1,000-30-4-18

420
26/5

15/5/

1307
25. MAY 1933
24

POS

TELEGRAPHS.

N T E.

form must accompany and laundry made respecting this Telegram

Charges to pay.

Office Stamp.

Rs.

As.

28
Handed on at (Office of Origin.)

Date.

Hour.

Minute.

Service Instructions.

Warder

Recd. here at

H.

M.

His Highness, Maharaja of Mysore
Mysore
Black and white
Humbly pray of my son
mujardi temples to his majesty
on this occasion of Maha
-maji's great penance

N. B. - The name of the Sender, if telegraphed, is written after the word
Kum. Box Bros., Printers, Calcutta-1237 (B-206)-8-2-29-2,50,000 Bls.

POSTS



TELEGRAPHS.

NOTICE.				Charges to pay.		Office Stamp.		
This form is to be filled up by any inquiry made respecting this Telegram				Rs.	As.			
Handed in at (Office of Origin.)				Date.	Hour.	Minute.	Service Instructions.	Words.
				Recd. here at		H.	M.	

From Hongkong.

R. B.—The name of the Sender, if telegraphed, is written after the word.
Paris Box B. Eastern, Calcutta—1237 (B-20C)—8-2-29—2,50,000 Bk.

Veritas Day

EF 62

From

M.A.Gopalaswamy Iyengar Esq., M.A., B.L.,
115, Shankerapur, Basavangudi Post,

Bangalore City
- - - - -

To

The Private Secretary to the Dewan of Mysore.

Bangalore
- - - - -

Dear Sir,

At a meeting of the Working Committee of the
Mysore Provincial Board, Servants of Untouchables
Society, Bangalore, held on the 16th instant, it was
resolved that a deputation should wait upon the
Dewan. The deputation consists of Messrs. R. Subba-
Rama Setty, Pelur Sreenivasa Iyengar, B. Rajagopala
Mudaliar, V. Venkataswami, P. Murugesam Pillai,
Vajravesam Venkatesiah, T. T. Sharma, and M.A. Gopala-
swamy Iyengar (Secretary). The object of the
deputation is to represent to, and to seek the help
of, the Government with regard to the eradication of
Untouchability and its evils by legislation and other
means.

I shall feel highly obliged if you can kindly
ascertain and let me know the pleasure and convenience
of the Dewan with regard to the meeting of the above-
named Deputation.

Yours faithfully,

Bangalore City
Dated. 13th May 33

M.A. Gopalaswamy Iyengar
Secretary to the Deputation.

*Submitted for orders
ext in service day
a general Holiday*

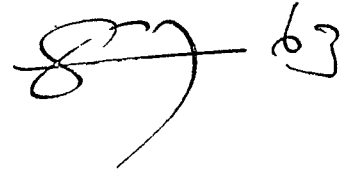
*6/5
18/5-*

*They may come
on one of the
Mysore days*

*Mme
19/5/33*

178. 2826

18th May 1933.

 63

Dear Sir,

With reference to your letter of the 18th instant, I am desirous to say that the Dewan will be glad to receive the deputation at the Public Offices on Saturday, the 27th May, between 8.30 and 10 A.M.

Yours sincerely,



Private Secretary to Dewan.

M. A. Gopalaswamy Iyengar, Esq., M.A., B.L.,
115 Shankerpur
Basavangudi P.O.,
Bangalore City.

Do no 14.428

Done

85-64
Bangalore,

26th May 1933.

Dear Sir,

In modification of the time fixed for the interview in my letter No. 2826 dated 18th instant, I am desired to state that it would be much better if the members of the Deputation would find it convenient to meet the Dewan at 1 P.M. tomorrow instead of in the morning. I shall be much obliged if you will kindly inform the members accordingly.

Yours sincerely,

(50) K. Subba Rao

Private Secretary to Dewan.

M.A. Gopalaswar, Iyengar Esq., M.A., B.L.,
115, Shankerpur,

Basavangudi P.O.,
Bangalore City.

Input

please get the connected file
from the Secretariat today
for submission to the Dewan

by.
26/5

The connected file
has been put up.
Keep
26/5/33

65-

Dear Sir,

In modification of the time fixed for
the interview in my letter No 2826 of 18th
inst I am desirous to state that it
would be much better if the members of the
deputation ^{would find} ~~make~~ it convenient to meet the
Deewan at 1 P.M. to morrow instead of in
the morning. I shall be much obliged if
you will kindly inform the members accordingly

Yours

W

26/5

herusal

II Member)

6/1
p82
26/5/33

seen Thanks

Mr
26/5

Sengghai Society

2) 1932 L.C. file re
Muzrai untouchability
Bill.

3 Muzrai file relating
to the Admission of
Non-Caste Hindus
into the Hindu temples.

4) L.C. Resolution
No 29. Also relates to
this

Memo

From

M. A. Gopalaswami Iyengar Esq., M.A., B.L.,
Advocate,
115, Shankerpur,
Bangalore City.

To

The Private Secretary to the Dewan
of Mysore,

Public Offices

B a n g a l o r e

Dear Sir,

I am directed by the Deputation of the
Mysore Provincial Board, Servants of Untouchable
Society, Bangalore, to submit the accompanying
Memorandum for the information of the Dewan.

*Submitted for kind
perusal. II Member has
been formed that the interview
is fixed at 1 P.M. to-morrow*

Bangalore City

Dated. 26th May 33

Yours sincerely,

Chit. Gopalaswamy Iyengar
Secretary to the Deputation.

*lcy.
26/5-*

P.S.

*Your letter, intimating alteration in the time
for the interview, just to hand.*

*Indd
The connected files & the
Secretariat are put up*

*The members of the Deputation will be requested
assemble at the Public Offices at 1 P.M. to-morrow*

*lcy.
26/5-*

26-5-33

Chit. Gopalaswamy Iyengar.

Seen. may be

Subd to Second Member

for

26/5

26.5.33

II. Member was present.

Mr. Subrama self prayed that the Untouchables-
Abolition bill may be placed first before the
R.A. and then the L.C., that the Rules of
business may be suspended and the bill
passed thro in all the stages. And also requests
~~proposed~~ that the Resolution of the L.C. at the
last session re entry of Harijans into temples
be given effect to. The other members also pressed
the question ^{of special provisions} particularly Messrs Behar Brikram Singh
Sharma, Gopalaswamy Singh & Murugan Pillay.
The Dewan replied that it has been the policy of
Govt to do all that they can for the amelioration
of the depressed classes, that Govt cannot make
differences between man & man but that in questions
like this where social customs have been in existence
for thousands of years Govt cannot ignore public opinion
that in a case of this kind it was absolutely necessary
to scrupulously observe the several rules of procedure
which the Legislature requires ^{without any omission at any stage}. He added that it was only
with that opinion from all classes of people that be obtained
and considered. The Deputy Minister then requested that at least
permission to ~~bring~~ ^{as such a thing had greatly helped them in the past} place the bill before the Rep.
Assembly might be given. It was ~~approved~~ ^{made clear} to them by the
Dewan & the II member that even this meant only the ^{preliminary}
stage for placing the bill before the L.C. & as such ^{the report} cannot
be complied with and that it was only in ^{report of} emergency bills that
there existed any justification to make this motion. The
then ~~the Dewan~~ ^{in writing} wanted to have an assurance that this bill may be
brought up before the next session of the Reconstituted R.A.
The Dewan replied that ~~as such a thing had greatly helped them in the past~~
~~as such a thing had greatly helped them in the past~~
~~as such a thing had greatly helped them in the past~~
but that it was a matter
for the time being to decide ^{where of was brought up again} that ~~it should be given~~
decision could ^{now} be given in anticipation
represented that the Govt still recent men was

As moving the unsympathetic
attitude of folk towards the movement, it was
clearly explained by the Dewan & the H members
that there was no reason to ~~draw any such~~
~~inference from the~~ ^{draw any such}
~~left wing~~ ^{left wing} ~~which does not express the view of crowd in this way.~~
~~the bill cannot be allowed to be taken up~~ ^{to be taken up}
~~any unsympathetic attitude of folk and~~
~~that folk yield to none in their sympathy with~~
~~the depressed class and any such attitude~~
~~Parliamentary procedure could be adopted.~~

~~As regards the entry of Hanjan temple~~
In question the Dewan explained that
a Legislative Council Resolution was
different from legal opinion and he
asked if they had considered the question
from this standpoint. One of the members of
the Department having said that this aspect
had not been considered the Dewan & H members
~~expressed~~ ^{expressed} ~~their~~ ^{their} ~~views~~ ^{views} ~~to examine this aspect~~
~~and~~ ^{and} ~~the~~ ^{the} ~~question~~ ^{question} ~~being~~ ^{being} ~~discussed.~~
R.A. the Dewan said he would be glad to allow
the question to be discussed.

27/5/33

Entered for perusal before being filed.

Dewan)

27/5/33

(M.C.
28/5/33)

Memorandum on the Depressed Classes presented

to the Dewan of Mysore on the 27th May 1933 by the

Deputation of the Mysore State Anti-Untouchability

League, Bangalore.

The object of the Deputation is to make a two-fold representation to the Government:

1. To appeal to the Government to reconsider their decision on The Mysore Untouchability Abolition Bill, to accord sanction for its introduction in the next session of the Representative Assembly and the Legislative Council, and to afford all facilities for its passage in the next session of the Council;
2. To request the Government to give effect to the Resolution of the Legislative Council (passed at the last session of the Council) with regard to the opening of Muzrai Temples to Harijans, by immediately throwing open all Muzrai Hindu Temples in the State to Harijans precisely on the same terms as to caste Hindus.

The following explanatory Memorandum is intended to draw the attention of Government to the present condition of the Depressed Classes and the necessity and importance of Harijan Legislation and Temple-entry.

Population.

The Depressed Classes of Mysore comprise the Adikarnataka ~~xxxxxx~~ (formerly called Holeya and Madiga), Vodda, Bawajara (formerly called Lambani) Koracha and Korama (both Hindu and Tribal) communities.

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Population.

The Depressed Classes of Mysore comprise the Adikainataka ~~communities~~ (formerly called Holeya and Madiga), Vodia, Bawajara (formerly called Lambani) Korach and Korama (both Hindu and Tribal) communities.

According to the Mysore Census Report 1931, the Holeyas and the Madigas are "the two castes which are treated by the other castes as untouchables. For grant of special facilities for education Government have ~~directed~~ directed that besides these two communities the Vooda and the Banajara, Koracha, Korama (both Hindu and tribal) should be treated as depressed classes. It does not appear that these communities are treated as untouchable any where in the State" (p.327)

The Adikarnatakas ~~from~~ the second largest Community in the State, (the first being the Vokkaligas) with a population of 10,00,326 persons. The Vooda Community counts 1,64,876, the Banajara 64,368, the Koracha 12,085 and the Korama 17,124. All these communities together have a population of 12,58,779 and they are a little less than one-fifth of the total population of the State.

The Depressed Classes are distributed fairly in even numbers all over the State. But the largest number among the Adikarnatakas are ~~for~~ found in the Mysore district.

Literacy. The lowest proportion of literates in the State is found among the Depressed Classes. The following table shows the prevalence of literacy among these communities.

Name of Community	Persons 7 years and over.	Literates.	Literates in English.
1. Adikarnataka	8,10,699	14,667	2,088
2. Vooda	1,32,656	1,391	50
3. Banajara	49,628	486	13
4. Koracha	9,741	272	12
5. Korama	12,865	300	3

The Mysore Census Report, 1931 states "The

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The Mysore Census Report, 1931 states "The

"The lowest proportion of literates is found among the Vodda(10 per thousand) and Banajara(9 per thousand). The Vodda Community is mainly a labouring community and the Banajara is partly a tribal community which is now becoming part of village populations. That with more facility for education and encouragement, literacy in all these castes can grow appears from the fact that the Adikarnataka caste to which special attention has been given in the last two decades has 18 per mile of literates - a proportion which compares very favourably with the Vodda and Banajara proportions" (pp.269-270)

But the proportions of these castes pale into insignificance when they are compared with the proportions of literates among other communities in the State. The Vokkaliga Community has 65 per thousand of literates, while the Brahmin and Vaisya castes have the largest proportion of literates, 573 and 485 per thousand respectively. And the proportion of literates is 91 per thousand for the whole population of the State. It is thus seen from these figures that less than 2 per cent of the Depressed Classes population are literate and that the rest are steeped in absolute illiteracy and ignorance.

Civil Condition. The Mysore Census, 1931 shows that infant marriages are fairly common among the Depressed Classes. These castes count over 7000 persons married between 7 and 13 years of age. In this respect they are only next to the Vokkaliga Community.

Religion. The latest census Report says:-

"Depressed Classes may, in some places, desire to be treated as non-Hindu and described as Adidharmi or by some other name which indicates that they have separated themselves from the Hindu Community.

"The lowest proportion of literates is found among the Vokkaliga (10 per thousand) and Parajara (9 per thousand). The Vokkaliga Community is mainly a labouring community and the Parajara is partly a tribal community which is now becoming part of village populations. That with more facility for education and encouragement, literacy in all these castes can grow appears from the fact that the Adikarnataka caste to which special attention has been given in the last two decades has 18 per mile of literates - a proportion which compares very favourably with the Vokkaliga and Parajara proportions". (pp.269-270)

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Religion. The latest census report says:-

"Depressed Classes may, in some places, desire to be treated as non-Hindu and described as Adidharmi or by some other name which indicates that they have separated themselves from the Hindu Community.

In Mysore, these difficulties do not exist. The Depressed Classes previously known as Holeya and Madiga and now described in Official records as Adikarnataka, have so far made no claim to be treated as non Hindu. Such awakening as has come among these people has led to a claim for better treatment in Hindu Society and not to an attempt at a schism" (p.295)

" There is no justification" the Census Superintendent remarks, " for treating any but a small proportion of these people (the Lambanis or Banajaras) as Animists. They live in villages more or less in the same way as the other communities, visit Hindu Temples and have ceremonial which is not essentially different from the ceremonial of the lowest classes of Hindus. Similarly in the case of the Korama and Koracha groups which have been treated as Animists there is nothing to distinguish them from the groups which are treated as Hindus". (pp.295-96)

In another part of his Report, the Census Superintendent observes "The Adikarnatakas have little temples of their own inside their quarter of the village. Sometimes the temple is in a grove of trees outside the village. Whether within the Adikarnataka quarter or outside in a grove of trees, the temple is a very modest affair being generally just a heap of earth with a small niche scooped out some-where about the middle. The image within is often a shapeless piece of stone. Ordinarily this is what the Adikarnataka worships. He, however, worships also the god or gods of the village worshipped by the caste people. If it is a village goddess to whom animals are sacrificed it is often the Adikarnataka that kills the sacrificial animal. When the temple is of the more orthodox type in which Rama or Hanuman is worshipped

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is worshipped the Adikarnataka is not allowed to go into the temple but can worship from outside standing beyond the ^uter pillar" (p.327)

Occupation. The Depressed Classes follow rural occupation and are mainly a rural population. Their chief occupation is agriculture. Most of them are cultivating owners or cultivating tenants or agricultural labourers. A small number of Adikarnatakas are engaged in Cotton spinning, sizing and weaving. In other occupations their numbers are quite insignificant. On account of their untouchableness and want of education the range of occupations that they can choose is indeed very small.

Untouchability. "The degree of Untouchability", writes the Mysore Census Superintendent, "attaching to these castes varies according to local conditions. In villages where the population of the Brahmin or other equally "high" castes lives together in one street, the Adikarnataka is not allowed to walk through the street. In other cases he can walk along the streets but makes way when a person of the higher caste comes along. He does not come into the houses of the caste people. In some cases he can come to the outer precincts of the houses. There are other castes whose touch the higher castes avoid but a person of no other caste is forbidden to come near or to enter temples" (p.327)

The Depressed Classes "generally have their dwellings at one end of a village and not scattered among the houses of the other castes within the village" (p.327) "Orthodox persons of the higher communities would still be horrified at the suggestion that the Adikarnataka should be treated like the members of any other caste. There is still difficulty

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The ~~are~~ disabilities of the Depressed Classes do not end there. As His Highness the Gaikwar of Baroda pointed out long ago, they are denied the advantages of social sympathy, communal Co-operation and the influence for good arising from free intercourse with their neighbours; the full and free use of public conveyances, public hotels and dharmasalas. Menial service is denied to them, and they are handicapped in the business world, owing to their Untouchableness. "To sum up", says His Highness the Gaekwar, "the theory of Untouchableness aims at keeping these classes for ever deprived of the benefits of civilisation, the solace of education and society"

Special Facilities provided by Government.

The Government of His Highness the Maharaja of Mysore have provided certain special facilities especially for the educational and economic improvement of the Depressed Classes. All public schools have been thrown open to them. From the Administration Report for 1931-32 it is found that there were on the 31st March 1932 607 special schools/ in all, for the education of the Depressed classes with a strength of 15620 pupils. There were six Adi-Karnataka Boarding Homes one of these being for Adi-karnataka Girls. In addition to these, there were ten Aided Hostels for

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for Depressed classes(nine for boys and one for girls) getting a total Government grant of Rs.764 per mensem. Besides the above special schools, there were 32 schools for Banajars, one for Hill tribes, 4 for Voddars and 5 for Kunbis. 485 Depressed Class boys' Scholarships amounting to Rs.~~20,360~~ ^{20,360} and scholarships of the value of Rs.3750/- for Depressed Class ~~girls~~ girls were awarded during 1931-32.

The Registrar of Co-operative societies has been appointed as the Special Officer to look after the Harijans' uplift work in the State. For doing propaganda work among the Depressed Classes a Magic Lantern Lecturer had been appointed, but the post has now been abolished as a measure of retrenchment. Special rules applicable to these classes have been framed for granting lands to them, and special funds have been placed at the disposal of the Registrar of Co-operative Societies for advancing loans to Co-operative Societies to enable their Harijan members to bring the lands granted to them by the Revenue Authorities under cultivation. Grants are also some times made to Co-operative societies for supply of agricultural implements to their Harijan members at half cost. Further, loans have been granted free of interest and repayable in 15 annual instalments for house-building purposes. Altogether a sum of nearly half a lakh of rupees has thus been advanced by Government to the Depressed Classes Co-operative societies.

Adikarnataka Colonies on a Co-operative basis at Giddigere and Byrapur have been established, and an Adi-Karnataka extension providing sites for 60 families has been formed in Nangli Village, Mulbagal Taluk.

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In respect of appointments to the Public Service the Depressed Classes have been given special facilities by means of preferential treatment.

As regards political privileges, special representation through nomination has been accorded to the depressed classes. Their representatives have been nominated to the Representative Assembly, the Legislative Council and the Local bodies in the more important places.

The policy of the Government towards the Depressed classes appears from the following extract from the address of the Dewan, Sir Mirza, M. Ismail, to the Representative Assembly in June 1927.

"Let me say a special word about the policy that Government have been following in respect of the amelioration of the condition of the Adi-karnatakas which they regard as one of their special cares.

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Scholarships have been sanctioned; exemptions have been granted from school and examination fees; provision has been made for the free distribution of clothes, ~~status and~~ slates and books. Special free hostels have been instituted ~~at~~ Bangalore, Mysore, Tumkur, Chickmagalur and Hassan. The Adikarnatakas have not only the right of admission to all schools, but 605 special schools have been provided for them. There are altogether 16,575 students now under tutition. In regard to Agriculture and Sericulture, special ~~concessions~~ concessions have been sanctioned in the way of grants of land and other facilities.

"No external improvement has enduring quality without a corresponding internal improvement, in courage hope and self-reliance and the most potent means of promoting these qualities is Co-operation. Strenuous efforts have been made to foster the Co-operative spirit among these classes, funds have been sanctioned to finance their Co-operative ~~societies~~, and to reward good work, special facilities have been created to encourage thrift, and to provide workers with the implements^{of} their business. The latest measure is the organisation of a Co-operative agricultural colony with due provisions of land, capital, live stock and direction. This is an important scheme for, if it succeeds, it will have indicated some lines of further action.

"Government have extended to the Adi-Karnatakas representation on all the great constitutional bodies of the State and have ever listened to their voice with respect and sympathy. Inequalities in the constitution of society there will be for such inequalities are in the nature of things, but it is the duty of the State to afford to all communities the best and fullest opportunities for the development of their God-given

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gifts, only so can society as a whole find stability and strength. The State, which has been well called, "the only potent and Universal instrument# of society," must address itself to this duty. It is not merely a duty, it is the truest political wisdom. These people ought to be strength of our strength; shall we let them become our weakness?. They have a rankling sense of wrong which only kindness can heal. The aim should be to "Hinduise" them more and more—for they belong to the Hindu Community really— and to offer them every facility to remain within the fold. They will be a mighty accession to the strength of our body politic; if not they will be an equally heavy subtraction from it. Alienated, they will/ introduce an additional element of heterogeneity which will further complicate the already difficult problems of administration. No possible means of amelioration should be neglected, and every friend of Hindu society, every lover of Mysore, should supplement the efforts of Government with all his strength!"(speeches of Sir Mirza M.Ismail p.p.58-60.)

Non-Official Agencies.

----- The Civic and Social Progress Association, the Kengeri Gurukula Ashrama, the Malleswaram Deena Seva Sangha, the Kaniyar Sangha, the Adijambava Sangha, the Mysore State Anti-Untouchability League and several other organisations are engaged in the work of amelioration of the conditions of the - Depressed classes. The Bangalore Civic and Social Progress Association has organised several milk centres in the City of Bangalore for the benefit of the Depressed Classes and does propaganda work among them by arranging for lecturers on temperance, sanitation, cleanliness etc., In the Kengeri Gurukula Ashrama there are thirteen Harijan boys who receive free board

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Remedial Measures.

From the foregoing brief statement on the present position of affairs it is seen that, notwithstanding the special facilities provided by the Government and the invaluable services rendered by the non-official agencies, the pace of progress is so infinitely slow that the yawning gulf between the high caste Hindu and the low caste Harijan does not seem to have been affected to any appreciable extent. Nor has the rigour of the custom of Untouchability been relaxed to any degree. It seems that no amount of mere ameliorative work can help to raise the status of Harijans in the social scale and to remove their peculiar disabilities. It is not only their general backwardness but also their untouchableness that the reformer has to tackle. The main cause of their backwardness is without doubt the age-long curse of Untouchability under which they suffer. In every field of the Harijans' Uplift work the social worker is confronted with a peculiar difficulty which arises solely from the custom of untouchability and makes reform in any direction well nigh impossible. It is thus, as Mahatma Gandhi has shown, the removal of Untouchability, root and branch alone that can not only smoothen the path of reform but also give "a new life and a new hope to Harijans as no mere economic uplift can do".

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they share with other classes is their Untouchableness. To improve the condition of this class then we must first get rid of this idea. The subsequent measures for their elevation will be the same as those we must use for other backward classes." "It appears to me", observes an officer of the Indian Civil Service, "that, although the wish to raise the depressed classes and to ameliorate their miserable lot is extremely laudable, those who are endeavouring to grapple the question before doing away with the division of the community into the higher castes ~~are~~ are taking the problem at the wrong end". The Rt. Rev. Lord Bishop of Madras expressed a similar opinion nearly two ~~xx~~ decades ago. He says: "And the first thing is obviously that the educated Hindus who earnestly wish for reform should take away from the depressed classes the stigma of Untouchableness. The first necessary step ~~of~~ towards their social and moral elevation is obviously to touch them.... The first thing needed, then, on the part of the educated Hindus whose consciences have been really awakened on the subject of the depressed classes is "the kindly touch". Apart from this, little else can be done. Education, schemes for material advancement will all be comparatively useless unless this stigma of ~~untouchableness~~ untouchableness is removed and the self-respect of the depressed classes is restored". There are so many others who hold similar views. But the above quotations are enough to show that the abolition of untouchability is the first essential thing in the Harijan movement.

Legislation.— What are, then, the means by which untouchability can be wiped ~~out~~ of Hindu Society?. At the very outset the social worker is faced with the difficulty that the reform will not be possible without recourse to Legislation. In the administration of Mazrai Institutions the Government have recognised and enforced the custom

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It is with a view to remove this legal bar to reform that the Mysore Untouchability Abolition Bill was presented to the Government for ~~intro~~ introduction in the Legislative Council by ten non-official members. But the sponsors of the Bill and the public were somewhat surprised to find that the Dewan was not pleased to accord his sanction for its introduction at the ensuing session of the Legislative Council. The reason assigned for the refusal is that "since it is not possible to go

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Further, the Deputation are constrained to state that there does not seem to be any justification for refusal to place the general principles of the Bill before the Representative Assembly, as it is wholly unconnected with the passage of the Bill in the Legislative Council. The reason given for the refusal is directly opposed to the Ruling of the Dewan President in connection with the Mysore Irrigation Bill in the Legislative Council in June 1930 on a point of order raised by Mr. Belur Sreenivasa Iyengar. On behalf of the Government the late Rajamantrapravina C.S. Balasundaram Iyer stated:-

" The convention is, if a Bill is introduced into the Legislative Council and if it is not pursued to its final stage in that Council, it drops with the term of that Council. If any stage has got to be gone through, ^{The whole thing has got to be gone through} again. This is the only convention that Government think is suitable. But if you say that a Bill placed before the Representative Assembly and thrown out by that Body should not be brought up before this House, and should be placed again before

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before another Assembly which succeeds it, it will mean that no work can be done for a period of one year or 18 months. I do not think it is a desirable state of things. Government have therefore considered that the opinion of the Assembly having once been recorded, that should be taken as its opinion and the further stages of the Bill gone through. I may also say that the Assembly or the Council for the matter of that has a continuous life whatever may be the change in its personnel from time to time. The Body lives all the time, and we need not assume any abrupt cessation of its activities owing to time limit."

The Deputation also desire to point out that it is an accepted constitutional convention in all civilised countries that previous sanction should not be with-held except where the proposed measure is found to be Ultra vires or detrimental to the interest of the State. And it is needless to state that the Mysore Untouchability Abolition Bill is neither illegal nor prejudicial to the best interests of Mysore.

Such being the state of the law and convention relating to procedure in the Council, it seems to the Deputation that the Dewan should have accorded sanction to the introduction of the Bill and allowed its fate to the verdict of the Assembly and the Council. But the present departure from the normal procedure has helped to produce an impression among the public that the Government are not in favour of the Bill, and this fact has tended to damp the enthusiasm of the Social Workers and to bring about a set-back to the Anti-Untouchability movement in the State.

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Lawyers' Conference, the Bangalore Adi-Karnataka Conference, the Mysore State People's Congress, the ~~Bangalore~~ Bangalore Citizens' Meeting held under the presidency of Sir K. P. Puttanna Chetty on the All India Harijan Day, and other popular organisations and Conferences have given their whole-hearted support to the Bill. And there does not appear to be much opposition to the Bill from the Orthodox ~~Hindus~~ Hindus of the State. The public are not aware of any agitation on their part, and no memorials or petitions seem to have been submitted by them to the Government in this matter.

The Mysore State Anti-Untouchability League has published the Bill with the Statement of objects and Reasons both in English and in Kannada, and circulated them throughout the State. The Bill has also appeared in the vernacular as well as the English press. There has thus been already ~~sufficient~~ sufficient publication of the Bill for expression of public opinion thereon.

Considering the merits of the Bill, it may be stated that it is a most harmless measure, and that no Government need fight shy of it. The Bill seeks the minimum legislative intervention to withdraw the aid of the State and the law courts in the enforcement of untouchability; so that the removal of Untouchability and the full and free use of public wells, ~~tanks~~, streets, markets, hotels, conveyances, rest-houses, temples etc., by Harijans could be secured by the ripening of public ^{opinion} in each locality.

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fair name and prestige of Mysore that she should lag behind in this matter of necessary and urgent reform. On the other hand, the State should feel proud of setting an example for others to follow. The matter is one of such moment that the Government themselves ought to have taken the initiative. The Depressed Classes form nearly one-fifth of the total population of the State, as stated before, and the Government, along with the people, owe a duty to them in wiping out the curse of untouchability under which they have been suffering for ages past. A policy of laissez faire on the part of the Government is hardly justified^{cil}, when one-fifth of the population of Mysore are treated as out-castes and live in a chronically depressed and ignorant condition. The question is, therefore, one of supreme national importance, and all the forces of the nation should be pooled together to eradicate the evil of untouchability at the earliest possible moment.

The Deputation, therefore, respectfully pray that the Government may be pleased to reconsider their decision declining to place the general ~~principles~~ principles of the Mysore Untouchability Abolition Bill before the forthcoming session of the Representative Assembly, and to permit its introduction in the next session of the Legislative Council, and to sanction

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As regards the important question of temple entry, the public are sorry to find that the Government

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Government have not taken any steps to give effect to the Resolution of the Legislative Council, passed at its last session without opposition. There are about 12,000 major and minor Hindu Muzrai temples in the State, and the throwing open of these temples to the Harijans would give a tremendous impetus to the Anti-Untouchability movement. The opening of the Muzrai temples will be a deciding test as to whether the Government have responded to the call of the time and whether they are prepared to purge society of this degrading custom of Untouchability. Enlightened public opinion in the State is unmistakeably in favour of temple-entry. The so-called Sanatanist opposition is really negligible, and justice, humanity and national self-interest demand that this opposition should not be allowed to be a drag on the wheel of progress. As Mahatma Gandhi truly observes, Untouchability is no integral part of Hindum. For the doctrines of Sarvabhutatma-phavana (spiritual Unity of creation) and Sarva mukti (Universality of Salvation) are the cardinal principles of the Hindu religion and it is needless to state that the very idea of Untouchability is foreign to such a Faith.

The supreme importance of temple-entry in the anti-untouchability movement cannot be too well emphasized. To quote the frequent words of Mahatma Gandhi "In my opinion it is a deciding test as to whether the orthodox Hindu mind has responded to the call of the time or not and whether it is prepared to purge Hinduism of the black mark of Untouchability. Nothing in my opinion will strike the Hindu mass mind including Harijans, as throwing open all public temples to them precisely on the same terms as Ca
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in another context, "is not merely to guard the customs or the so called privileges of a particular caste or castes, but to guard the purity of Hinduism itself and to respond to the daily growing spiritual aspirations of the Hindus". Not long ago the judicial Committee of the Privy Council observed in a case that had come up before them in appeal that a Hindu Temple was a trust for a religion and not a race.

And in a statement issued by Gandhiji after the announcement of the Governor-General's decision on the Untouchability Abolition Bill and the Temple-entry Bill, he said:- "Let me proclaim it for the thousandth time that for me, as with my Co-workers, removal of Untouchability is an indispensable religious need; and the opening of temples to Harijans being a pure spiritual act is an indispensable test of that removal. It is the one thing that alone can give a new life and a new hope to Harijans as no mere economic uplift can do. Economic and all other uplift will follow temple-entry as light follows dawn. The one single act of opening temples to Harijans will purify Hinduism and will open the hearts of both caste Hindus and Harijans to receive new light. The message of the temples will penetrate every Harijan hut; the message of economic and educational uplift will touch only those to whom it is personally brought. This proposition of mine can be easily understood by those who, like me, believe in temples as an integral part of Hinduism as Churches and mosques are of Christianity and Islam. It is not necessary that every Harijan should at once enter the temples. It is enough and necessary if he knows that he has acquired that right".

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Untouchability and the opening of Hindu Temples to Harijans. The consciences of the Caste Hindus have been stirred, and the time is most opportune when the Government should throw open the Muzrai temples to the Untouchables and lead the way for reform.

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Mysore Anti-Untouchability League's Deputation to the Dewan.

27th May 1933.

The Deputation of the Mysore State Anti-Untouchability League, Bangalore was received by the Officiating Dewan, Dewan Bahadur M.N.Krishna Rao, B.A., in his Chambers at the Public Offices, Bangalore at 1 P.M. on Saturday the 27th May 1933. The Deputation consisted of Messrs.P.Subbarama Chett Belur Sreenivasa Iyengar, B.G.Rajagopala Mudaliar T.T.Sharma P.Murugesham Pillai, Vajapeyam Venkatesiah and M.A.Gopala-swamy Iyengar, Mr.V.Venkatappa being absent. Mr.S.P. Raja-gopalachari, B.A.,B.L., Officiating Second Member of Council, was also present at the interview.

On behalf of the Deputation, Mr.P.Subbarama Chetty thanked the Dewan for his kindness in granting an interview and giving them an opportunity to place their views before the Government. He briefly narrated the object of the Deputation and invited the Dewan's attention to the Memorandum already submitted to the Government by the Deputation. So far as the Mysore Untouchability Abolition Bill was concerned, he requested the Dewan to permit (1) the placing of its general principles before the next session of the Representative Assembly, (2) the publication of the Bill in the Mysore Gazette under Rule 8 of the Rules Business, and (3) the passage of the Bill at the next session of the Legislative Council (vide p.p.12-17 of the Memorandum). As regards the question of throwing open all Muzrai Temples to Harijans, he represented that the Government should be pleased to throw open all Muzrai Hindu temples in the State to the Untouchable without delay in accordance with the Resolution of the

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the Legislative Council, passed at its last session nem con (vide P. P. 18-219 of the Memorandum).

The Dewan gave a very sympathetic and patient hearing and said that he was glad to find that the members of the Deputation had been devoting their time and energy to a very noble cause. There was a free and frank discussion in which all the members of the Deputation participated and placed their views before the Government.

Replying to the Deputation, the Dewan stated that, as indicated in the Memorandum of the Deputation itself, the Government were completely wedded to a policy of ameliorating the condition of the Depressed Classes and that they had been doing what all they could so far as funds permitted. None need suppose that by reason of their not allowing the Bill to go before the next session of the Assembly the Government had made up their mind either one way or the other with regard to the Bill. If there was any such impression abroad the sooner the minds of the public were ~~discussed~~ disabused of such a wrong impression the better for all concerned. The Government thought that the subject matter of the Bill was of such moment that they would not be discharging their responsibilities if they allowed it to be rushed through in the Legislature without fullest publicity and scope for the expression of all shades of public opinion. They could not agree to the passage of the Bill at a single session of the Council by suspending the ordinary Rules of Business. For they did not want to be charged by any section of the people that the Bill was got passed in indecent haste by an undue exercise of their legislative authority. Besides, nothing would be lost if the sponsors

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sponsors of the Bill waited for a few months more until the new Assembly and Council were constituted. Though there was nothing in the Rules of procedure to prohibit the placing of the general principles of the Bill before the next session of the Assembly, it would be better if the whole process of legislation was gone through after the constitution of the new Assembly and Council.

Regarding immediate assurance of granting permission to introduce the Bill at the first session of the newly constituted Assembly and Council, the Dewan said that he could not do so in advance and that the matter had to be decided by the person who happened to be the Dewan-President at that time. And with reference to the Resolution on Anti Untouchability legislation, he had no objection to give precedence to it at the forth coming session of the Assembly, if the Assembly so desired.

As regards the question of throwing open Muzrai temples to Harijans, the Dewan stated that the question involved certain legal difficulties and therefore required careful consideration. The Government were not prepared to accept the suggestion of issuing Royal Proclamation for avoiding the legal difficulties, as they did not desire to adopt any short-cut method in the matter. The Anti-Untouchability League might further examine the legal aspect of the question, and the Government would also try to do the same. At about 2 P.M. the Deputation withdrew after thanking the Dewan and the Second Member.

Bangalore }
28-5-33. }

Obt. Gopalaswamy Sanyal
Secy. to Depy